

**CITY OF ANKENY, IOWA
OFFER TO PURCHASE EASEMENT**

To Seller: Walgreen Co.
2702 SE Delaware Avenue
Ankeny, IA 50021

1. **Property Description.** The City of Ankeny, Iowa, on behalf of the State of Iowa, intends to acquire the easement on property leased by you situated in Ankeny, Iowa, and legally described on the attached Exhibit, and is, by this reference, made a part hereof.
2. **Price.** The City of Ankeny agrees to pay \$13,600.00, calculated as follows:

Acknowledgement of Temporary Easement: \$13,600.00
3. **Purpose of the Acquisition.** The landlord, Grand Capital, LLC, will grant to the State of Iowa a temporary easement for the purpose of the IA 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements. The Acquisition Plat attached to this Agreement illustrates the proposed temporary easement area being granted. The temporary easement shall terminate on completion of this highway project.
4. **Real Estate Taxes.** The acquisition shall not affect the liability for payment of real estate taxes when due.
5. **Possession.** Possession shall be upon receipt of funds.
6. **Conveyance.** Upon payment of the purchase price, you agree to acknowledgement of the easement to the State of Iowa, in accordance with the form provided by the City.
7. **Time is of the Essence.** Time is of the essence in this contract.
8. **Contract Binding on Successors-in-Interest.** This contract shall apply to and bind your successors-in-interest.
9. **Construction.** Words and phrases shall be construed as in the singular or plural number, and as masculine, feminine, or neuter gender, according to the context.
10. **Execution of Offer.** This Offer is executed by the City of Ankeny, Iowa, on behalf of the State of Iowa and is subject to ratification by the City Council upon its acceptance by Seller.

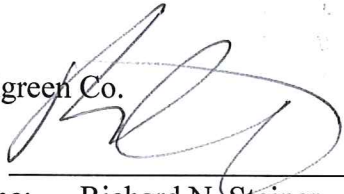
Parcel 21

Dated at Ankeny, Iowa, this _____ day of September 2016.

FOR THE CITY OF ANKENY, IOWA

By: _____
Amy S. Beattie, City Attorney

THIS OFFER IS ACCEPTED on this 7th day of September 2016.

WALGREEN Walgreen Co.
By: 
Name: Richard N. Steiner
Title: Director

Approved by the City Council of the City of Ankeny on the _____ day of _____,
2016, by Resolution No. _____.

By: _____
Gary Lorenz, Mayor

Attest: _____
Pamela DeMouth, City Clerk

**ACKNOWLEDGEMENT OF TEMPORARY EASEMENT FOR CONSTRUCTION AND
CONSTRUCTION-RELATED ACTIVITIES**

Walgreen Co., in consideration of Thirteen Thousand Six Hundred and 00/100 Dollars (\$13,600.00), to be paid by the City of Ankeny, Iowa, upon final approval and acceptance of this Acknowledgement of Temporary Easement does hereby acknowledge and agree to the Temporary Easement for Construction and Construction-Related Activities granted unto the State of Iowa by Grand Capital, LLC (hereinafter "Easement") under, over, through and across the following described property:

See Acquisition Plat attached hereto as Exhibit "A" (hereinafter "Easement Area").

Walgreen Co. acknowledges that said Easement allows the State, its agents, contractors and employees, and other permitted parties including but not limited to electric, cable and telecommunications utilities and their respective agents, contractors and employees, a right of entry in, upon and onto the above described Easement Area for the IA 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements Project, which purpose includes any and all construction-related activities.

Signed this 7th day of September, 2016.

GRANTOR:

Walgreen Co.

By: 

Name: Richard N. Steiner

Title: Director

ACCEPTANCE BY CITY:

I, Pamela DeMouth, City Clerk of the City of Ankeny, Iowa, do hereby certify that the within and foregoing Acknowledgement of Easement was duly approved and accepted by the City Council of said City of Ankeny by Resolution and Roll Call No. _____, passed on the _____ day of _____, 20____, and this certificate is made pursuant to authority contained in said Resolution.

Pamela DeMouth
City Clerk of the City of Ankeny, Iowa